

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
CENTRAL DIVISION

CIVIL ACTION NO.: 05 CV 40071-FDS

CHRISTIAN SCHWENK,)
Plaintiff)
)
v.)
)
AUBURN SPORTSPLEX, LLC, DENNIS)
NATOLI, JOHN NATOLI, and PETER)
NATOLI,)
Defendants)

JOINT MOTION TO AMEND SCHEDULING ORDER

The parties hereby jointly move to amend the scheduling order by extending the deadline for dispositive motions from May 26, 2006 to June 26, 2006.

As grounds therefore, the parties state that they have not been able to complete discovery as rapidly as had been expected due in part to personal issues experienced by counsel for the plaintiff. See affidavit attached. The parties expect to complete discovery by May 5, 2006, and the proposed amendment will allow sufficient time to brief and serve dispositive motions if appropriate.

Wherefore, the parties respectfully request that the scheduling order be amended as proposed above.

Defendants,
By their attorney,

Plaintiff,
By his attorney,

/S/ William J. Ritter

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COUNTY OF MIDDLESEX	:	
	:	RE: CIVIL ACTION
COMMONWEALTH OF MASSACHUSETTS	:	NO. 05-40071-FDS
	:	

AFFIDAVIT

I, Paul E. Linet, submit this affidavit in connection with the Joint Motion to Revise this Court's Scheduling Order of February 15, 2006 in connection with the above-captioned case.

1. I am a member in good standing of the Massachusetts Bar and am duly authorized to practice before this Honorable Court.
2. I have been actively involved in representing the Plaintiff in connection with the above-captioned case.
3. Beginning on or about February 20, 2006 and through March 6, 2006, on three separate occasions, I transported my wife to several medical facilities within the Commonwealth on an emergency basis.
4. My wife has a chronic neurological disease, multiple sclerosis, and is permanently disabled.
5. During the period, March 6, 2006 through March 24, 2006, my wife was hospitalized first at Beth Israel Deaconess Medical Center in Boston Ma and subsequently at Youville Hospital in Cambridge Ma. See attached correspondence of Frederic Goldman, MD, dated March 31, 2006.
6. The extensive and extraordinary nature of my wife's hospitalization as noted above impeded my involvement in representing the Plaintiff in this case from February 20 through March 31, 2006.
7. I have continually advised the Plaintiff of the foregoing. Plaintiff has informed me that he desires that I continue to represent him in this case.
8. Defendants' counsel has been advised of the circumstances set forth herein and does not object to the revision of the as presented..
9. Based upon the foregoing, it is respectfully requested that this Court grant the accompanying Motion and issue an order revising the Amended Scheduling Order as proposed.

Then appeared before me, the affiant, Paul E. Linet, whose signature is affixed below.

/S/ Paul E. Linet
Paul E. Linet

April 14, 2006